

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7504

HERMAN E. HARSTON,

Petitioner - Appellant,

versus

P. L. HUFFMAN,

Respondent - Appellee.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. James C. Turk, District Judge.
(CA-95-1294-R)

Submitted: January 16, 2003

Decided: January 28, 2003

Before WILLIAMS, KING, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Herman E. Harston, Appellant Pro Se. Katherine P. Baldwin, OFFICE
OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Herman E. Harston appeals the district court's order denying his Fed. R. Civ. P. 60(b) motion. We have reviewed the record and find no abuse of discretion. See Dunlap v. Litscher, 301 F.3d 873, 876 (7th Cir. 2001); Rodriguez v. Mitchell, 252 F.3d 191, 203 n.3 (2d Cir. 2001); Riero v. Johnson, 197 F.3d 147, 150 (5th Cir. 1999). Accordingly, we affirm on the reasoning of the district court. See Harston v. Huffman, No. CA-95-1294-R (W.D. Va. Sept. 12, 2002). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED